

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor	:	<b>Michael BIRSCHBACH</b>	
Appln. No.	:	<b>To be assigned</b>	
Filed	:	<b>Herewith</b>	Group Art Unit : <b>To be assigned</b>
Title	:	<b>Fuel Cell Cartridge for Portable Electronic Device</b>	Examiner : <b>To be assigned</b>

**DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION  
(37 C.F.R. § 1.63)**

As a below named inventor, I hereby declare that my mailing address and citizenship are as stated below.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

**FUEL CELL CARTRIDGE FOR PORTABLE ELECTRONIC DEVICE**

the specification of which:

☒ is attached hereto OR

☐ was filed on \_\_\_\_\_ as United States Application No. \_\_\_\_\_ or PCT International Application No. \_\_\_\_\_ and as the application was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information known to me that is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

**PRIOR FOREIGN APPLICATION(S)**

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**PRIOR PROVISIONAL APPLICATION(S)**

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)
60/517,469	November 4, 2003
60/431,139	December 4, 2002
60/430,591	December 2, 2002

**POWER OF ATTORNEY**

I hereby appoint the Dorsey & Whitney LLP attorneys and agents associated with **Customer Number 32940** to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution, and revocation.

**PLEASE DIRECT ALL CORRESPONDENCE TO:**

The address associated with **Customer Number: 32940**, currently:

Name	Richard F. Trecartin
Address	DORSEY & WHITNEY LLP Four Embarcadero Center Suite 3400 San Francisco, California 94111-4187
Telephone	(415) 781-1989
Fax	(415) 398-3249

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Sole or First Inventor:</b>	Given Name (first and middle [if any])	Family Name or Surname
Name	Michael	BIRSCHBACH
Inventor's Signature		
Date		
Residence (City, State, Country)		
Citizenship	United States	
Post Office Address	c/o Polyfuel, Inc. 1245 Terra Bella Avenue Mt. View, California 94043	